

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/822,484 Confirmation No.: 3028
Applicant: Joseph M. Asher et al.
Title: A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY
EXCHANGE PLATFORM
Filed: April 12, 2004
Art Unit: 3696
Examiner: Ella Colbert
Atty. Docket: 03-6157
Customer No. 63710

TRANSMITTAL MAKING EMAIL COMMUNICATIONS OF RECORD

Recognizing that Internet communications are not secure, Applicant previously authorized the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicant previously pointed out that Applicant understands that a copy of these communications will be made of record in the application file of the present application.

Attached as an Appendix, are email communications, including all attachments, between me and the Examiner identifying the present application by Serial No. and directly relating to prosecution of the present application. By submitting these email communications, Applicant in no way waives, e.g., claims of privilege with respect to any email message(s) that were distributed internally and confidentially by Applicants and, e.g., not sent to an addressee at the United States Patent and Trademark Office, but that might include, e.g., some or all of any of the attached email messages in the Appendix.

Respectfully submitted,

Dated: October 14, 2009

By: /Christopher D. Agnew/
Christopher D. Agnew
Reg. No. 43,464
cagnew@cantor.com
(857) 413-2050

Customer No: 63710

APPENDIX
TO TRANSMITTAL MAKING EMAIL COMMUNICATIONS OF RECORD

Agnew, Christopher

From: Agnew, Christopher
Sent: Friday, August 14, 2009 11:15 AM
To: ella.colbert@uspto.gov
Cc: Alderucci, Dean
Subject: Application Serial No. 10/822,484 A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM (Atty. Docket No. 03-6157)

Dear Examiner Colbert,

Would you please give me a call to very briefly discuss this application? I just left you a voice mail message today and one on Wednesday, August 12. I realize you may not be in the office today, so if you can't reach me until early next week, that is fine. I look forward to speaking with you.

Please know that in this case and any other cases that we might work on, I am willing to consider claim amendments and/or claim cancellations that would expedite allowance.

Thank you.

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Best regards,

Christopher D. Agnew

U.S.P.T.O. Registration No. 43,464

Christopher David Agnew

Vice President and Assistant General Counsel

Cantor Fitzgerald, L.P.

125 High Street, 26th Floor

Boston, MA 02110

(857) 413-2050 (Direct)

(857) 413-6727 (Mobile)

(202) 308-7537 (Fax)

cagnew@cantor.com

Agnew, Christopher

From: Colbert, Ella [Ella.Colbert@USPTO.GOV]
Sent: Monday, August 17, 2009 4:43 AM
To: Agnew, Christopher
Subject: RE: Application Serial No. 10/822,484 A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM (Atty. Docket No. 03-6157)

Good Morning Attorney Agnew,
Application 10/822,484 is not on my docket yet and I have not looked at the application. I will not have the time to look at the application until it appears on my docket.
The Legal Instruments Examiners are behind in putting amendments on the Examiner's dockets.
I do not know how long it will take before the application is on my docket or which LIE has to application for posting to my docket. The applications go to a pool of LIE's to be put on an Examiner's amendment docket.

Best Regards,
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10/1/2009

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From: Agnew, Christopher
Sent: Monday, August 17, 2009 10:07 AM
To: Colbert, Ella
Subject: RE: Application Serial No. 10/822,484 A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM (Atty. Docket No. 03-6157)

Dear Examiner Colbert,

Thank you for your email. I expected that you might not have taken up the application yet; I just wanted to speak with you briefly, hence the reason for my call. Please give me a call at your convenience. I can be reached at (857) 413-2050.

Thanks so much,

Christopher D. Agnew

U.S.P.T.O. Registration No. 43,464

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10/1/2009

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To: Colbert, Ella
Cc: Alderucci, Dean; Alto, Laura
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10/1/2009

Agnew, Christopher

From: Colbert, Ella [Ella.Colbert@USPTO.GOV]
Sent: Friday, September 25, 2009 11:43 AM
To: Agnew, Christopher
Subject: RE: Application Serial No. 10/822,484 A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM (Atty. Docket No. 03-6157)

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From: Agnew, Christopher
Sent: Friday, September 25, 2009 11:51 AM
To: Colbert, Ella
Subject: RE: Application Serial No. 10/822,484 A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM (Atty. Docket No. 03-6157)

Good morning Examiner Colbert,

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The purpose of my call was to tell you that we will in fact be filing an Information Disclosure Statement (we plan to do so today). Although I know of no potential issues, I am available 24 hours a day/7 days a week to discuss any potential issues that may arise. Please try me first at my office phone, (857) 413-2050, which eventually forwards to my Blackberry, and then at my home phone (781) 826-0894 if you can't reach me.

Thank you very much and have a great weekend.

Best regards,

/Christopher D. Agnew/

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Sent: Friday, September 25, 2009 11:43 AM
To: Agnew, Christopher
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Sent: Thursday, September 24, 2009 2:03 PM
To: Colbert, Ella
Cc: Alderucci, Dean; Alto, Laura
Subject: Application Serial No. 10/822,484 A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM (Atty. Docket No. 03-6157)

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10/1/2009

Agnew, Christopher

From: Colbert, Ella [Ella.Colbert@USPTO.GOV]
Sent: Sunday, September 27, 2009 12:30 PM
To: Agnew, Christopher
Subject: RE: Application Serial No. 10/822,484 A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM (Atty. Docket No. 03-6157)

Hello Attorney Agnew,
So far there have not been any issues arise that I need to call you.
I am close to completing the process for allowance. I will be reviewing the IDS that you have submitted late tomorrow (Monday) afternoon.
Thank you for being so cooperative and working with me to achieve the ultimate goal which is the issuance of a patent.
I hope that you consider me to have done a good examination of the application.
It has been a pleasure working with you and I hope to work with you in the future on other applications.
I hope that you had a good weekend.

Best Regards,
/Examiner Colbert/

From: Agnew, Christopher [mailto:CAgnew@cantor.com]
Sent: Friday, September 25, 2009 11:51 AM
To: Colbert, Ella
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From: Colbert, Ella [Ella.Colbert@USPTO.GOV]
Sent: Monday, September 28, 2009 5:23 PM
To: Agnew, Christopher
Subject: RE: Application Serial No. 10/822,484 A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY EXCHANGE PLATFORM (Atty. Docket No. 03-6157)

Good Afternoon Attorney Agnew,
 Would you mind e-mailing my SPE and telling him that you think that I have done a good job handling the application?
 My SPE's email address is thomas.dixon@uspto.gov and the director's email address is wynn.coggins@uspto.gov.
 I am rated in my performance appraisal on how well I work with the Attorneys and Inventors as part of my customer service element.
 My performance appraisal is due in October.

Thank you.
 Examiner Colbert

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